APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/853,668	05/14/2001	Sung Jin Park	P-216	6826

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>14 May 2007</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-62* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-62* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

The following office action is in response to the amendment filed on May 14, 2007. Claims 1-62

are pending. Claims 1, 5, 11, 14 and 49 have been amended.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   **Claims 1, 5-17, 19, 20, 24-29, 31-36, 38, 39, 43-48 and 50-62 are rejected under 35**

U.S.C. 102(b) as being anticipated by Hetzler (US 5,954,820).

As to claim 1, Hetzler discloses a method for adjusting a brightness of a display screen of

a system, the method comprising; determining whether there are user signal inputs into the

system (e.g., determining whether keystrokes is inputted or not); switching the system into an

idle mode if there are no user signal inputs (backlight 13 is turned off when a user is not viewing

the display); determining processor unit usage indicative of whether certain display related

processes are running when in the idle mode; and adjusting the brightness of the display screen

when in the idle mode based on processor unit usage (see column 3, lines 2-9 and column 5, lines

13-50 and column 8, lines 8-13).

As to claim 13, Hetzler discloses a method for reducing electrical power consumed by a

processor unit controlled display screen (column 2, lines 45-65), the method comprising;

determining processor unit activity indicative of whether certain display related processes are

running (column 3, lines 2-38); and dimming a brightness of the display screen when the

processor unit activity falls below a minimum threshold (column 3, lines 2-38, Hetzler teaches where the current access frequency is compared to a previously calculated and continuously updated threshold frequency, where depending on the threshold different power saving modes are initiated).

As to claim 14, Hetzler discloses a computer readable medium having stored thereon a sequence of computer executable instructions which, when executed by a processor, cause the processor to perform the steps of monitoring a system to determine whether for a certain display related processes are running (e.g., determining whether keystrokes is inputted or not); see column 8, lines 8-13. Hetzler teaches a step of maintaining the brightness of the display if the certain display related processes are running (backlight is turned on when a user is viewing the display) and reducing the brightness of a display if the certain display related processes are not running (backlight 13 is turned off when a user is not viewing the display); see column 3, lines 2-9 and column 5, lines 13-50 and column 8, lines 8-13.

As to claim 31, this claim differs from claim 13 above only in that claim 31 is apparatus whereas claim 13 is method. Thus, apparatus claim 31 is analyzed as previously discussed with respect to method claim 13 above.

As to claim 32, this claim differs from claim 14 and 33 above only in that claim 32 is apparatus whereas claims 14 and 33 are method. Thus, apparatus claim 32 is analyzed as previously discussed with respect to method claims 14 and 33 above.

As to claim 33, this claim differs from claim 14 only in that claim 33 deletes the limitation computer-readable medium recited in preamble of claim 14. Thus, claim 33 is

analyzed as previously discussed with respect to claim 14 above since claim 33 is broader than claim 14.

As to claim 5, Hetzler teaches wherein determining processor unit usage comprises measuring a processor usage amount (current access frequency, column 3, lines 2-38), and reducing the brightness of the display screen if the processor usage amount is below a threshold value (column 3, lines 2-38, Hetzler teaches where the current access frequency is compared to a previously calculated and continuously updated threshold frequency, where depending on the threshold different power saving modes are initiated).

As to claim 6, Hetzler teaches wherein determining the processor unit usage comprises determining whether the display screen is displaying a movie (column 6, lines 17-64, whether a DVD is running).

As to claim 7, Hetzler teaches wherein determining whether the display screen is displaying a movie comprises determining whether a memory device connected to the processor unit is operating (column 6, lines 17-64, if a DVD is running).

As to claim 8, Hetzler teaches wherein the memory device comprises a hard disk (column 6, lines 17-64).

As to claim 9, Hetzler teaches wherein the memory device comprises a CD-ROM (column 6, lines 17-64).

As to claim 10, Hetzler teaches wherein the memory device comprises a DVD (column 6, lines 17-64).

As to claim 11, Hetzler teaches wherein the brightness of the display screen is reduced if the display screen is not displaying a movie (column 8, lines 30-64, specifically lines 55-65 for movies).

As to claim 12, wherein the brightness of the display screen is maintained if the display screen is displaying a movie (column 8, lines 30-64, specifically lines 55-65 for movies).

As to claims 15 and 34, Hetzler clearly teaches system being a computer (portable computer 41).

As to claim 16, 35 and 50, Hetzler teaches wherein the display is a liquid crystal display screen (11).

As to claims 17 and 36, Hetzler clearly teaches monitoring for user input signal (i.e. keyboard activity); see column 3, lines 2-9.

As to claim 19, Hetzler teaches wherein the monitoring step comprises determining processor unit usage amount, and comparing said processor unit usage amount against a reference amount (column 3, lines 2-38).

As to claim 20, Hetzler teaches wherein the reference amount is controllably variable (column 3, lines 12-18, where the threshold frequency is variable).

As to claims 24 and 43, Hetzler teaches the monitoring step including determining whether a video process related device is in use; see column 6, lines 17-64.

As to claims 25-26, 28 and 44-45, 47, Hetzler teaches the use DVD; see column 6, lines 17-18. It is known in the art that DVD could be either, a readable and writeable memory or a read only memory.

As to claims 27, 46, 55, 59, 61 Hetzler clearly teaches a CD-ROM; see column 6, lines 17-18.

As to claim 29, Hetzler teaches wherein the video process related device comprises a modem (17, column 4, lines 50-55).

As to claim 38, Hetzler teaches wherein monitoring the system for display related processes comprises determining a processor unit usage amount, and comparing said processor unit usage amount against a reference amount (column 3, lines 2-38).

As to claim 39, Hetzler teaches wherein the reference amount is controllably variable (column 3, lines 12-18, where the threshold frequency is variable).

As to claim 48, Hetzler teaches wherein the video process related device comprises a modem (17, column 4, lines 50-55).

As to claims 51, 53, 55, 57 and 59, Hetzler teaches wherein the display related processes include at least one of playing a CD-ROM; a DVD, a MPEG file, or video file (column 6, lines 17-64).

As to claims 52, 54, 56, 58, 60 and 62, Hetzler teaches wherein the display related processes do not include user inputs via a mouse or keyboard (column 8, lines 8-13).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   **Claims 18 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hetzler as applied to claims 1, 5-17, 19, 20, 24-29, 31-36, 38, 39, 43-48 and 50-62, and further in view of Zenda (US 5,386,577).**

As to claims 18 and 37, note the discussion of Hetzler above, Hetzler does not mention the step of determining whether the system is powered by an internal power source. Zenda teaches that" in response to the low battery state, a luminance control signal having a minimum luminance value is supplied to the flat panel display. When the personal computer is driven by the AC adapter, a luminance control signal having a maximum luminance value is supplied to the flat panel display"; see column 6, line 36 through column 7, line 6. Therefore, it would have been obvious to one of ordinary skill in the art at the invention was made to have used the step detecting the system being powered by an internal source (battery) to the power control of Hetzler so as to avoid the battery operation time being shortened more than necessary (see column 3, lines 35-45).

5.   **Claims 2, 3, 21, 22, 40 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hetzler as applied to Claims 1, 5-17, 19, 20, 24-29, 31-36, 38, 39, 43-48 and 50-62, above and further, in view of McFedries (Windows ® 98 Unleashed, May 12, 1998).**

As to claims 2, 21 and 40, Hetzler teaches determining processor unit usage amount (column 3, lines 2-38). Hetzler does not teach where the determining information is contained in a registry. McFedries teaches operating system Windows® 98. On page 14, McFedries teaches HKEY_DYN_DATA key, and where the registry files are updated when you shut down the operating system, restart the operating system and at regular intervals when running the

operating system. The determining information for the processor usage is contained in this

registry as shown by McFedries on page 14. It would have been obvious to one of ordinary skill

in the art at the time the invention was made to include the processor unit usage amount

determining information is contained in a registry as taught by McFedries into that of Hetzler, as

Hetzler is a computer system which uses an operating system, such as Windows® 98.

As to claims 3, 22 and 41, McFedries teaches wherein the registry comprises

HKEY_DYN_DATA\PerfStats\StatData (Page 14, Fig. 12.10).

6.   Claims 4, 23, 30, 42 and 49 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Hetzler as applied to claims 1, 5-17, 19, 20, 24-29, 31-36, 38, 39, 43-48

and 50-62, above, and further in view of Kardach (US 6,018,803).

As to claims 4, 23 and 42, Hetzler does not teach wherein the monitoring step comprises

determining whether a video process related keyword is contained in the currently operating

process.

Kardach teach a computer processing system where the processor comprises a bus

utilization activity circuit, wherein the bus utilization activity circuit determines whether a video

process related keyword is contained in the currently operating process (column 7, lines 1-19,

where the bus utilization activity circuit determines whether an MPEG is playing) and

determining whether a video process related device is in use (col.7, lines 1-19 where it is

determined whether an MPEG is playing). It would have been obvious to one of ordinary skill in

the art to include the bus utilization activity circuit as taught by Kardach into the computer

system of Hetzler as once the bus utilization activity circuit detects a keyword determining a

movie is currently operating, it prevents the screensaver from activating.

As to claims 30 and 49, Hetzler teaches wherein the monitoring step comprises; determining processor unit usage amount and comparing said processor unit usage amount against a reference amount (column 3, lines 12-18, where the threshold frequency is variable). Hetzler does not teach wherein the monitoring step comprises determining whether a video process related keyword is contained in the currently operating process.

Kardach teach a computer processing system where the processor comprises a bus utilization activity circuit, wherein the bus utilization activity circuit determines whether a video process related keyword is contained in the currently operating process (column 7, lines 1-19, where the bus utilization activity circuit determines whether an MPEG is playing) and determining whether a video process related device is in use (col.7, lines 1-19 where it is determined whether an MPEG is playing). It would have been obvious to one of ordinary skill in the art to include the bus utilization activity circuit as taught by Kardach into the computer system of Hetzler as once the bus utilization activity circuit detects a keyword determining a movie is currently operating, it prevents the screensaver from activating.

Response to Arguments

7.   Applicant's arguments filed May 14, 2007 have been fully considered but they are not persuasive.

With respect to 35 USC 101 rejection, this rejection has been withdrawn.

With respect to the 23 USC 112, second paragraph rejection of claims 5, 11 and 49, this rejection has been withdrawn with the amendment to the claims.

Applicant argues where Hetzler does not determine whether certain display related processes are running. Examiner, respectfully, disagrees. Hetzler teaches not only determining

whether to enter a power-save mode based on recent access history as applicant's argument, but

also determining whether to enter a power-save mode based on key strokes or moving the

pointing device in col. 8, lines 8-13. The key strokes or moving the pointing device clearly reads

on certain related processes are running. Applicant argues that Hetzler in col. 8, lines 37-40,

teaches that "access pattern may be characterized in terms of frequencies, i.e. the rate at which

component access occur, and a distribution of frequencies may be determined from the access

history", and concludes that Hetzler only teaches entering a power saving mode based on access

history (i.e. the rate at which component access occur). However, applicant does not take

consideration the reference as a whole. Access history of Hetzler is not only determining the rate

at which component access occur, but also determine whether to enter a power save mode based

on key strokes or moving the pointing device in col. 8, lines 8-13). Applicant argues where col.

8, lines 1-29 of Hetzler are not directed to a different embodiment but rather are explanatory

disclosure directed to how the Hetzler device determines access history. Then the access history

is utizled statistically to determine when to exit and enter the power saving modes in anticipation

of the beginning and end of a period access. The claimed limitations of whether certain display

related processes are running are so broad that it can read on process of power saving mode

using keystrokes or moving the pointing device in Hetzler even if the process is in the access

history (col. 8, lines 1-29). Further, in col. 8, lines 6-13, Hetzler clearly states that "keyboard

and pointing device access or uses as indirect indications of the display access by user (e.g.

viewing the display). Thus col. 8, lines 1-29 of Hetzler clearly read upon the claimed "display

related processes".

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Srilakshmi K. Kumar whose telephone number is 571 272 7769.

The examiner can normally be reached on 9:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Sue Lefkowitz can be reached on 571 272 3638. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

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information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Srilakshmi K Kumar
Examiner
Art Unit 2629

SKK
July 30, 2007
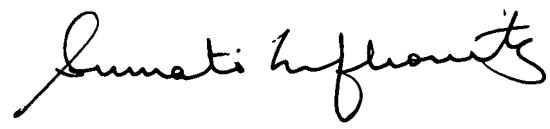
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